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In Propria Persona

**UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

TODD R. G. HILL, et al,

Plaintiffs

vs.

**THE BOARD OF DIRECTORS,
OFFICERS AND AGENTS AND
INDIVIDUALS OF THE PEOPLES
COLLEGE OF LAW, et al.,**

Defendants.

CIVIL ACTION NO. 2:23-cv-01298-JLS-BFM

The Hon. Josephine L. Staton
Courtroom 8A, 8th Floor

Magistrate Judge Brianna Fuller Mircheff
Courtroom 780, 7th Floor

PLAINTIFF'S NOTICE OF APPEAL

NO ORAL ARGUMENT REQUESTED

NOTICE OF APPEAL

TO THE HONORABLE COURT AND ALL PARTIES OF RECORD:

NOTICE IS HEREBY GIVEN that Plaintiff TODD R.G. HILL, pro se, appeals to the United States Court of Appeals for the Ninth Circuit from:

1. the Final Judgment / Order entered on August 20, 2025 (ECF 358), and
2. the Post-Judgment Order Denying Plaintiff's Rule 59(e) Motion entered on September 26, 2025 (ECF 365).

This appeal also encompasses all prior interlocutory orders that merge into the final judgment, including but not limited to orders at the TAC stage and the order denying reconsideration entered May 27, 2025 (ECF 312).

This appeal is timely under Federal Rule of Appellate Procedure 4(a)(1)(A), as it is filed within 30 days of entry of the order.

Respectfully submitted,

Dated: October 6, 2025

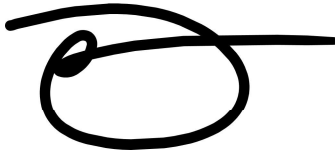


Todd R. G. Hill
Plaintiff, In Propria Persona

STATEMENT OF COMPLIANCE WITH LOCAL RULE 11-6.1

The undersigned party certifies that this brief contains 518 words, which complies with the 7,000-word limit of L.R. 11-6.1.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Todd R.G. Hill". The signature is stylized with a large, looping "T" and a horizontal line extending to the right.

October 6, 2025
Todd R.G. Hill
Plaintiff, in Propria Persona

PLAINTIFF'S PROOF OF SERVICE

This section confirms that all necessary documents will be properly served pursuant to L.R. 5-3.2.1 Service. This document will be/has been electronically filed. The electronic filing of a document causes a "Notice of Electronic Filing" ("NEF") to be automatically generated by the CM/ECF System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court and (2) all pro se parties who have been granted leave to file documents electronically in the case pursuant to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service through the CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by Fed. R. Civ. P. 4 or L.R. 79-5.3, service with this electronic NEF will constitute service pursuant to the Federal Rules of Civil Procedure, and the NEF itself will constitute proof of service for individuals so served.

Respectfully submitted,



October 6, 2025
Todd R.G. Hill
Plaintiff, in Propria Persona

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EXHIBIT A

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

TODD R.G. HILL,
Plaintiff,

v.

THE BOARD OF DIRECTORS,
OFFICERS, AND AGENTS AND
INDIVIDUALS OF PEOPLES
COLLEGE OF LAW, et al.,
Defendants.

No. 2:23-cv-01298-JLS-BFM

**ORDER ACCEPTING IN PART
MAGISTRATE JUDGE'S
REPORT AND
RECOMMENDATION**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Fourth Amended Complaint, the records and files herein, the Magistrate Judge's Report and Recommendation, and Plaintiff's Objections to the Report and Recommendation. The Court has engaged in a de novo review of those portions of the Report and Recommendation to which objections have been made. The Court accepts the recommendations of the Magistrate Judge, except as noted below.

The Court is also in receipt of three Motions not addressed by the Magistrate Judge's Report and Recommendation. First, Plaintiff moved to strike the State Bar Defendant's Opposition (ECF 262) to Plaintiff's Motion for reconsideration of the Court's Order Accepting the Magistrate Judge's Report

1 and Recommendation (ECF 253). The Court **denies as moot** Plaintiff's Motion
2 to strike (ECF 303), given that the Court has already denied Plaintiff's Motion
3 for reconsideration. (See ECF 312.)

4 Plaintiff also filed a Motion to file a surreply in response to Defendants'
5 Oppositions to his Motion to amend the Fourth Amended Complaint, attaching
6 the proposed response. (ECF 323.) The Court has reviewed the Motion and the
7 proposed response and **grants** the Motion to the extent it is intended as a Reply
8 to Defendants' Oppositions.

9 Finally, Plaintiff filed a Notice of Procedural and Jurisdictional
10 Irregularity and Request for Clarification (ECF 355) concerning an apparent
11 discrepancy in the docketing of his August 4, 2025, submission. The document
12 at issue appears to have been docketed (See ECF 356), and the Court therefore
13 **denies as moot** Plaintiff's Request.

14 ACCORDINGLY, IT IS ORDERED:

15 1. The Report and Recommendation is accepted, with the modification
16 noted in No. 9 below.

17 2. Plaintiff's Motion to strike (ECF 303) is **denied as moot**.

18 3. Plaintiff's Motion to file a surreply in response to Defendants'
19 Oppositions to his Motion to amend the Fourth Amended Complaint (ECF 323)
20 is **granted**.

21 4. Plaintiff's Request for Clarification (ECF 355) is **denied as moot**.

22 5. Defendant Spiro's Requests for judicial notice (ECF 263, 273, 278,
23 296) are **denied**.

24 6. Plaintiff's Requests for judicial notice (ECF 276, 290, 301, 329) are
25 **denied**.

26 7. Plaintiff's Motion to amend the Fourth Amended Complaint (ECF
27 310, 330) is **denied**.

28 8. Defendants' Motions to dismiss (ECF 263, 270) are **granted in**

1 **part**, to the extent that they seek dismissal for failure to state a claim.

2 9. The Fourth Amended Complaint is **dismissed with prejudice as**
3 **to the federal RICO claim and dismissed without prejudice and without**
4 **leave to amend as to the remaining state law claims.**

5 10. The Court Clerk shall serve this Order and the Judgment on all
6 counsel or parties of record.

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8 DATED: August 20, 2025

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11 _____
12 HONORABLE JOSEPHINE L. STATON
13 UNITED STATES DISTRICT JUDGE
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EXHIBIT B

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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION
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12 TODD R.G. HILL,

13 Plaintiff,

14 v.

15 THE BOARD AND DIRECTORS,
16 OFFICERS, AND AGENTS AND
INDIVIDUALS OF PEOPLES
COLLEGE OF LAW, et al.,

17 Defendants.
18

No. 2:23-cv-01298-JLS-BFM

**ORDER DENYING MOTION
TO ALTER OR AMEND
JUDGMENT JUDGMENT
UNDER RULE 59(E)**

19 Before the Court is Plaintiff Todd R.G. Hill's motion to alter or amend
20 judgment under Rule 59(e) (ECF 360). For the reasons stated below, the Court
21 **denies** the Motion.

22 **I.**

23 **BACKGROUND**

24 On July 22, 2025, the Magistrate Judge issued a Report and
25 Recommendation, recommending dismissal of Plaintiff's Fourth Amended
26 Complaint without leave to amend. (See ECF 348.) Specifically, the Report
27 recommended dismissing with prejudice Plaintiff's RICO claim, his only
28

1 remaining federal claim, and dismissing his state law claims without prejudice
2 to Plaintiff bringing them in state court. (ECF 348 at 18.) Plaintiff filed
3 Objections to the Report and Recommendation (ECF 351) and three notices of
4 “procedural irregularities” (ECF 353, 356, 357). The Court accepted the
5 Magistrate Judge’s Report and Recommendation with minor alterations, and
6 entered Judgment dismissing the action on August 20, 2025. (ECF 358, 359).

7 Plaintiff now moves to alter or amend judgment pursuant to Rule 59(e).
8 (ECF 360 (“Mot.”).) Defendant opposed the Motion (ECF 361, 362) and Plaintiff
9 submitted a reply. (ECF 362.) The Motion is thus fully briefed and ready for
10 decision.

11 II.

12 LEGAL STANDARD

13 Under Federal Rule of Civil Procedure 59(e), a party may move to alter or
14 amend a judgment within twenty-eight days after entry of the judgment. Fed.
15 R. Civ. P. 59(e). A Rule 59(e) motion may be granted when (1) the motion is
16 necessary to correct manifest errors of law or fact upon which the judgment is
17 based, (2) the moving party presents newly discovered or previously unavailable
18 evidence, (3) the motion is necessary to prevent manifest injustice, or (4) there
19 is an intervening change in controlling law. *Turner v. Burlington N. Santa Fe*
20 *R.R. Co.*, 338 F.3d 1058, 1063 (9th Cir. 2003) (citing *McDowell v. Calderon*, 197
21 F.3d 1253, 1254 n.1 (9th Cir. 1999)). Relief under Rule 59(e) is an “extraordinary
22 remedy, to be used sparingly in the interests of finality and conservation of
23 judicial resources.” *Wood v. Ryan*, 759 F.3d 1117, 1121 (9th Cir, 2014) (per
24 curiam). Such relief is therefore generally reserved for highly unusual
25 circumstances. *Sch. Dist. No. 1J, Multnomah Cnty. v. ACandS, Inc.*, 5 F.3d
26 1255, 1263 (9th Cir. 1993); *Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH*
27 *& Co.*, 571 F.3d 873, 880 (9th Cir. 2009).

III.

DISCUSSION

Plaintiff's Motion raises numerous arguments, which generally fall into four categories. At bottom, none of Plaintiff's arguments demonstrate that he is entitled to relief under Rule 59(e).

A. The Court's Adoption of the Report and Recommendation

Plaintiff argues that the Court's Order Accepting the Magistrate Judge's Report and Recommendation was insufficient because it adopted the Magistrate Judge's findings without further analysis. (Mot. at 12.)

The Court disagrees. The Federal Magistrate Judge's Act provides that: "[a] judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C).

De novo review, however, does not require an explicit analysis of each objection raised by the parties. *See United States v. Ramos*, 65 F.4th 427, 433-34 (9th Cir. 2023). It is generally sufficient for courts to rely on the findings of a magistrate judge's report and recommendation so long as it is clear the Court reviewed the record. *See Holder v. Holder*, 392 F.3d 1009, 1022 (9th Cir. 2004) ("The district court expressly stated in its order that it adopted the magistrate judge's recommendations only after having undertaken a de novo review of the record . . . The district court's approach fully complied with the statutory requirements in using the magistrate judge's assistance in this case."); *N. Am. Watch Corp. v. Princess Ermine Jewels*, 786 F.2d 1447, 1450 (9th Cir. 1986) (holding the district court's review satisfied the de novo review standard where the district judge noted that he had "reviewed the complaint, counter-

1 complaints, all the records and files, . . . and the Report and Recommendation
2 of the United States Magistrate [Judge] . . .”).

3 Here, the Court expressly indicated that it conducted de novo review.
4 (ECF 358 at 1 (Order Accepting the Magistrate Judge’s Report and
5 Recommendation stating that the Court “reviewed the Fourth Amended
6 Complaint, the records and files herein, the Magistrate Judge’s Report and
7 Recommendation, and Plaintiff’s Objections to the Report and
8 Recommendation” and that it “engaged in a de novo review of those portions of
9 the Report and Recommendation to which objections have been made.”).)
10 Nothing more was required, and thus relief on this ground is not warranted.

11 **B. Adjudication of Specific Claims and Requests**

12 **1. Plaintiff’s RICO Claim and the Court’s Rule 12 Analysis**

13 Plaintiff argues that the Court erred in dismissing his RICO claim by
14 failing to correctly apply “Rule 12 standards.” (Mot. at 13, 17-18, 20, 31, 33.)

15 In the context of deciding a Rule 12(b)(6) motion to dismiss, courts must
16 accept as true all non-conclusory factual allegations in a complaint, and pro se
17 litigants are held to a less stringent standard than counseled litigants. These
18 generous standards do not eliminate the requirements imposed by the Federal
19 Rules of Civil Procedure. *See Ghazali v. Moran*, 46 F.3d 52, 54 (9th Cir. 1995)
20 (“Although we construe pleadings liberally in their favor, pro se litigants are
21 bound by the rules of procedure.”). One such requirement is that “a complaint
22 must contain sufficient factual matter, accepted as true, to state a claim to relief
23 that is plausible on its face.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citation
24 and internal quotations omitted). A claim is facially plausible “when the
25 plaintiff pleads factual content that allows the court to draw the reasonable
26 inference that the defendant is liable for the misconduct alleged.” *Id.*

1 Here, the Magistrate Judge’s Report and Recommendation, adopted by
2 this Court, correctly applied this standard. Nowhere in the Report and
3 Recommendation are Plaintiff’s allegations questioned or otherwise taken as
4 false. What is questioned are the inferences Plaintiff would have the Court draw
5 from those facts. As observed in the Report and Recommendation: “Plaintiff’s
6 allegations are merely consistent with Defendants’ liability, they ‘stop short of
7 the line between possibility and plausibility of entitlement to relief.” (ECF 348
8 at 14 (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2009)).)

9 **2. Equal Protection Claim**

10 Next, Plaintiff argues that the Court erred in dismissing his Equal
11 Protection claim by failing to consider “intervening” Supreme Court precedent
12 and by failing to consider the *Ex Parte Young* doctrine.¹ (Mot. at 14-15, 19-20.)
13 Neither of those arguments are availing. The “intervening” Supreme Court
14 precedent Plaintiff points to is the Supreme Court’s decision in *Students for Fair*
15 *Admission, Inc. v. President and Fellows of Harvard College*, 600 U.S. 181
16 (2023). That decision was decided in June 2023, over a year before the Court
17 adjudicated Plaintiff’s equal protection claim, and is therefore not an
18 intervening precedent. In any event, *Students for Fair Admission* does not
19 change the Court’s analysis of Plaintiff’s equal protection claim.

20 As for Plaintiff’s *Ex Parte Young* argument, the Court did not rely on the
21 State Bar Defendants’ Eleventh Amendment immunity in dismissing Plaintiff’s
22 equal protection claim. Instead, the Court concluded that Plaintiff’s equal
23 protection claim failed because the Third Amended Complaint did not plausibly
24 allege an intent to discriminate against him because of his race. (See ECF 213

25
26 ¹ The Court dismissed Plaintiff’s equal protection claim without leave to
27 amend when it dismissed the Third Amended Complaint. (See ECF 213
28 (Magistrate Judge’s Interim Report and Recommendation, recommending
dismissal of Plaintiff’s equal protection claim without leave to amend); ECF 248
(Order Accepting the Interim Report and Recommendation).)

1 at 14-16.) In other words, the Court considered the merits of Plaintiff's equal
2 protection claim; the scope of relief permissible under *Ex Parte Young* is thus
3 irrelevant.

4 **3. Requests for Judicial Notice**

5 Plaintiff makes two arguments in relation to his various Requests for
6 Judicial Notice. First, Plaintiff faults the Court for denying all pending RJNs
7 without distinction in the Order Accepting. (Mot. at 12-13.) But the Order
8 Accepting adopted the reasoning of the Report and Recommendation, which
9 addressed the RJNs individually; it is thus inaccurate to say that the requests
10 were not given individualized assessment.

11 Next, Plaintiff argues that the Judgment was entered on an incomplete
12 record because the Court did not adjudicate the RJNs in ECFs 197 and 199.
13 Again, Plaintiff's statement is inaccurate. The RJNs in ECFs 197 and 199 were
14 decided in connection with the Court's review of Plaintiff's Third Amended
15 Complaint. (See ECF 213 (Interim Report and Recommendation, recommending
16 granting in Part ECFs 197 and 199), 248 (Order Accepting the Interim Report
17 and Recommendation).)

18 **4. Plaintiff's Motion to Amend the Fourth Amended Complaint**

19 Plaintiff argues that the Court denied his Motion to Amend the Fourth
20 Amended Complaint without considering the correct version of the amended
21 complaint. (Mot. at 18.) Specifically, Plaintiff argues that the Court considered
22 only ECF 310 and 330, and not the Corrected Fifth Amended Complaint, ECF
23 313. This argument is without merit; Plaintiff's Motion for Leave to File a Fifth
24 Amended Complaint (ECF 330) attaches the Corrected Fifth Amended
25 Complaint. (See ECF 330 at 10-195.) Because Plaintiff does not dispute that the
26 Court considered ECF 330, the Court's failure to reference ECF 313 specifically
27 is harmless.

C. Procedural Asymmetry

Plaintiff argues that “procedural irregularities” undermined the overall fairness of the litigation. For example, Plaintiff faults the Court for “promptly” adjudicating Defendant’s Motions to Dismiss while leaving his motions and requests unresolved for months. The length that any motion remained pending does not provide a basis to revisit judgment in this case.

Plaintiff also complains that the Court ignored Defendants’ alleged noncompliance with Local Rule 7-3, pointing to his Notice of Procedural Irregularities (ECF 350). The Magistrate Judge repeatedly noted that Plaintiff’s complaints about Defendants’ meet and confer efforts did not provide a basis to strike Defendants’ motions; email exchanges between the parties occurred and additional discussions were unlikely to narrow the disputed issues. (See ECF 213 at 12-14; ECF 269; ECF 348 at 4 n.4.) This Court adopted that analysis. Plaintiff’s arguments provide no basis for reconsideration of that decision.

D. Leave to Amend and Dismissal Without Prejudice

Plaintiff makes two additional arguments in connection with the disposition of his case. First, he argues that the Court erred in dismissing his state law claims “without prejudice and without leave to amend” because that disposition “deprive[s] Plaintiff of a forum for those claims.” (Mot. at 21.) As an initial matter, the above disposition does not preclude Plaintiff from refileing his state law claims in state court; it only bars him from reasserting them here. Moreover, the Court has no jurisdiction over Plaintiff’s state law claims without a viable federal claim. As noted in the Report and Recommendation, Plaintiff cannot rely on diversity jurisdiction, because there was not complete diversity between the adverse parties at the time Plaintiff filed his original complaint. (See ECF 248 at 18-19 n. 8 (discussing the lack of diversity jurisdiction).) As such, Plaintiff’s argument fails to identify a legal error.

1 Plaintiff also argues that the court erroneously denied leave to amend
2 without finding that amendment would be futile. (Mot. at 18.) But the Report
3 and Recommendation concluded that amendment would be futile (ECF 248 at
4 20-21) and this Court adopted that finding by accepting the Report and
5 Recommendation. Nothing more is required.

6 IV.

7 CONCLUSION

8 For the foregoing reasons, the Court **denies** Plaintiff's Rule 59(e) Motion
9 (ECF 360).

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11 DATED: September 26, 2025

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14 HONORABLE JOSEPHINE L. STATON
15 UNITED STATES DISTRICT JUDGE
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